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| 10/670,934 | 09/25/2003 | James S. Voss | 200208330-1 | 2046 |

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

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| EXAMINER |
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SHIBRU, HELEN

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| ART UNIT | PAPER NUMBER |
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2621

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09/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding. .

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/670,934

Applicant(s)

VOSS ET AL.

Examiner

HELEN SHIBRU

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-11, 13, 14, 20-23 and 28 is/are pending in the application.
4a) Of the above claim(s) 1 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4, 6-11, 13-14, 20-23, and 28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 07/23/2007, have been entered and made of record. Claims 5, 12, 15-19, 24, 25 and 27 are cancelled, claim 28 added, therefore claims 1-4, 6-11, 13-14, 20-23, and 28 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4, 6-11, 13-14, 20-23, and 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-11, 13-14, 20-23, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood (US Pat. No. 6,578,040) in view of Applicants prior art and further in view of Sekiguchi (US PG PUB 2003/0174906).

Regarding claim 1, Syeda-Mahmood discloses a method for locating a video file, the method comprising: identifying a key image (see fig. 3 step 30, where electronic slide image are identified); identifying a plurality of video files (see fig. 3 step 30 where video images are identified); and searching the plurality of video files for a match with the key image using an image comparison technology (see abstract, and fig. 3 step 35, where the slide image is matched with the geometric keyframe. See also col. 9 lines 8-20).

Claim 1 differs from Syeda-Mahmood in that the claim further requires multi-mode image files that comprise both low-resolution and at least one high-resolution image.

In the same field of endeavor Applicant's prior art discloses developing video cameras that capture both low-resolution images and high-resolution images that are more suitable for extraction (see pages 1-2 of the present application specification). Therefore in light of the teaching in the Applicant's prior art it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute Syed-Mahmood's video file with multi-mode image file and extracting both high resolution and low resolution images in order to locate the video file from which the image file is extracted.

Claim 1 further differs from the above proposed combination in that the claim further requires multi-mode image file for a match with the key image.

In the same field of endeavor Sekiguchi discloses a key frame is a reference point in a search for a specific feature (see paragraph 0092). Sekiguchi further teaches an image searching method using a first and second storage unit for storing image frames and a feature stream having features of the image frame encoded therein respectively, and checking the decoded feature against a search criteria for identity match (see claims 1-6). Therefore in light of the teaching in Sekiguchi it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above proposed combination of Syeda-Mahmood and the applicant's prior art in order to retrieve a video content requested by the user.

Regarding claim 2, Syeda-Mahmood discloses the key image is contained in a still image file (see fig. 1 slides 12 and col. 5 lines 15-31).

Regarding claim 3, Syeda-Mahmood discloses identifying a key image comprises identifying at least one of an identity of the still image file and a location of the still image file (see step 32 in fig. 3 where it shows that the slide images are identified. See also abstract).

Regarding claim 4, Sekiguchi discloses the key image was not originally extracted from the multimode image file (see claims 1 and 5 in Sekiguchi, rejection of claim 1 above, and abstract, the electronic slide image are derived from the first media type in Syeda-Mahmood).

Regarding claim 6, Syeda-Mahmood discloses identifying a plurality of video files comprises identifying at least one of an identity of the plurality of video files and a location of a plurality of video files (see col. 7 lines 10-61, rejection of claim 1 above, and Applicant prior art disclosure with respect to multi-mode image file).

Regarding claim 7, Syeda-Mahmood discloses searching comprises executing a pattern matching algorithm (see fig. 5 and col. 6 lines 53-65).

Regarding claim 8, Syeda-Mahmood discloses searching comprises executing at least one of a normalization algorithm, a correlation algorithm, a geometric pattern matching algorithm, and a least squares fit algorithm (see col. 7 lines 45-col. 8 line 4).

Regarding claim 9, Syeda-Mahmood discloses identifying to the user a located video file that is a match for the key image to a user (see col. 7 lines 49-62, Applicant's prior art disclosure with respect to the multi-mode image file and claim 1 in Sekiguchi).

Regarding claim 10, Syeda-Mahmood discloses identifying to the user at least one timestamp within a video file that indicates a match (see col. 4 lines 39-45 and col. 5 lines 16-26, see also applicant's prior art).

Regarding claim 11, the limitation of claim 11 is found in claim 1 above. Therefore claim 11 is analyzed and rejected for the same reason as discussed in claim 1 above.

Claim 13 is rejected for the same reason as discussed in claim 7 above.

Regarding claim 14, Syeda-Mahmood discloses identifying a video files that are determined to contain image content that is contained within the key image (see fig. 3 where it shows the video file contained images. See applicant's prior art with respect to the multi-mode files and claim 1 rejection above).

Regarding claim 20, the limitation of claim 20 is found in claim 1 above. Therefore claim 20 is analyzed and rejected for the same reason as discussed in claim 1 above.

Regarding claim 21, Syeda-Mahmood discloses identify an image comprises logic configured to receive a user's selection of an image being shown to the user (see col. 7 lines 45-62).

Regarding claim 22, Syeda-Mahmood discloses the logic configured to identify video files comprises logic configured to receive a user's selection of the group of video files (see col. 7 lines 49-62, see also applicant's prior art and claim 1 rejection above).

Regarding claim 23, Syeda-Mahmood discloses the logic configured to receive a user's selection of the group of video files comprises logic configured to receive the user's selection of a directory containing a plurality of video files (see fig. 6 and col. 8 lines 61-67. See also applicant's prior art and claim 1 rejection above.)

Regarding claim 26, Syeda-Mahmood discloses the logic configured to search comprises logic to only search high-resolution images embedded within the stored video files to identify at

least one high-resolution image that matches the key image (see col. 6 lines 24-36. See also applicant's prior art and claim 1 rejection above.)

Regarding claim 28, Sekiguchi discloses searching the multi-mode image file for a match comprises only comparing the key image with high-resolution images contained in the multi-mode file (see paragraphs 0092-0104 and 0110-0118 and rejection of claim 1 above).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibu
September 03, 2007



THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
EBC CENTER 2600